

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:07cv100**

BOB STOUT CONSTRUCTION CO.,)	
INC.,)	
)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
TOWN OF MARSHALL, NORTH)	
CAROLINA,)	
)	
)	
Defendant and)	
Third-Party Plaintiff,)	
)	
Vs.)	
)	
CLARK & ASSOCIATES, INC., and)	
G. CECIL CLARK,)	
)	
)	
Third-Party)	
Defendants.)	
)	

THIS MATTER is before the court on third-party defendants' Motion for Extension of Time to Serve Discovery. Such motion fails, however, to reflect consultation with opposing counsel, a violation of Local Civil Rule 7.1(A). Further, asking the court to enlarge the time for responding to discovery responses may not always be necessary inasmuch as such deadline may be enlarged by stipulation under

Rule 29, Fed.R.Civ.P. Inasmuch as the court has limited resources, this court must require counsel to first follow the Local Rules as well as consider other relief that does not require court intervention. Having considered third-party defendants' motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that third-party defendants' Motion for Extension of Time to Serve Discovery (#48) is **DENIED** without prejudice.

Signed: November 15, 2007

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

